

## **MINUTES OF MEETING**

A conference call meeting of the Chiropractic Physicians' Board of Nevada was held on Tuesday, August 23, 2005 at 12:00 Noon.

The following Board members were present at the roll call:

Stephanie Youngblood, DC, President  
Margaret Colucci, DC, Vice President  
Donald H. Miner, DC, Secretary  
Curtis Potts, DC, Member

Member Ian Yamane, DC, arrived at 12:15 PM. Also present were Deputy Attorney General George Campbell, Susan Fisher and CPBN Executive Director Cindy Wade.

Dr. Youngblood determined that a quorum was present and called the meeting to order.

**AGENDA ITEM 1** Dr. Miner moved for approval of the agenda. Dr. Colucci seconded and the motion passed unanimously.

**AGENDA ITEM 2** Dr. Colucci moved for approval of the June 28, 2005 meeting minutes. Dr. Youngblood seconded and the motion passed unanimously. Dr. Miner moved for approval of the July 22-23, 2005 minutes. Dr. Potts seconded and the motion passed unanimously.

**AGENDA ITEM 3** There were no public interest comments.

## **CONSENT CALENDAR**

There were no objections to any of the items on the Consent Calendar, as follows:

**Agenda Item 4** **Approve** granting of Doctor of Chiropractic licenses to:

Allan C. Ke, DC	Lori Sinisgalli, DC
Glaee Lopez, DC	Thomas E. Vondruska, DC
Cesar Quintana, DC	Shaun M. Waldman, DC

## **CONSENT CALENDAR (Cont'd)**

- Agenda Item 4 (Cont'd) **Approve** granting of Doctor of Chiropractic licenses to Edwin Harris, Jr., DC and David W. Perkins, DC, pending clearance of their background checks.  
**Deny** Doctor of Chiropractic license to Rudy Scott, DC, until the matter of his alleged unlicensed practice can be addressed at a meeting of the Board.
- Agenda Item 5 **Approve** Michael D. Miscoe as compliance officer to monitor Tad Tenney, DC's practice during his probation period.
- Agenda Item 7B **Approve** dismissal of Complaint 05-11.
- Agenda Item 7C **Approve** dismissal of Complaint 05-13.
- Agenda Item 7D **Approve** dismissal of Complaint 05-14.
- Agenda Item 7E **Approve** to proceed with issuance of Notice of Intended Action pursuant to complaint 04-9.
- Agenda Item 7F **Approve** to continue with investigation of Complaints 04-26 and 04-28.
- Agenda Item 7G **Approve** to continue with investigation of Complaints 04-29, 04-30, 04-31 and 04-32.
- Agenda Item 7H **Approve** to continue with investigation of Complaint 05-8.

Dr. Miner moved for approval of the Consent Calendar. Dr. Colucci seconded and the motion passed by unanimous vote.

**AGENDA ITEM 6A** Dr. Miner moved to approve the revisions to NAC 634.366 as proposed. Dr. Potts seconded the motion and it passed unanimously.

**AGENDA ITEM 6B** Dr. Miner moved to add "subsection r" to NAC 634.430 to read as follows: "(r) Any licensee performing peer review, records review and/or independent medical/chiropractic examination, pursuant to NRS 634.018, subsection 16, of "Unprofessional conduct defined", who knowingly makes false or factually unsupported opinions intended to recommend reduction in provider fee reimbursement." Dr. Youngblood seconded and the motion passed by unanimous vote.

**AGENDA ITEM 6C** Susan Fisher reviewed her discussion with the attorney for the Wisconsin board in which he related the problems they have encountered in complying with their regulation for a preceptor program. Following discussion, Dr. Miner moved to continue this matter. Dr. Potts seconded and the motion passed unanimously.

**AGENDA ITEM 6D** Dr. Miner moved that a meeting for the Workshop and Hearing to Adopt the proposed regulation revisions be scheduled for Friday, October 14, 2005 in Reno. Dr. Youngblood seconded and the motion passed unanimously.

**AGENDA ITEM 7A** With respect to Complaint 05-10, Dr. Yamane explained that the patient claimed that the DC, who had been treating her for the past four years with a low force technique, used a more forcible technique without her consent which severely exacerbated her condition and “ruined her life.” A review of the doctor’s records shows that his notes were adequate and that he performed appropriate testing to justify the technique he used to mobilize her shoulder joint. There is no apparent violation and Dr. Youngblood moved to dismissed the complaint. Dr. Miner seconded the motion and it passed unanimously.

**AGENDA ITEM 8** Currently, the CPBN committees are: Test Committee chaired by Dr. Colucci, Legislative Committee chaired by Dr. Miner, Continuing Education Committee chaired by Dr. Youngblood, Accounting/Financial chaired by Bobby Lazenby and Policies/Procedures formerly chaired by Dr. Porter. Dr. Colucci reported that the recent Chiropractor’s Assistant examinations went very well considering that there were approximately 50 examinees. Cindy Wade reported that 15 of 18 applicants showed up for the Reno exams and 11 of the 15 passed, a 73% average. Dr. Youngblood reported that there have been no complications in approving continuing education applications since the Board’s last meeting.

**AGENDA ITEM 9** There was nothing to report under the Correspondence Report.

**AGENDA ITEM 10** Under Board Member Comments Dr. Miner stated that he has declined to respond to a DC’s request for details of a complaint against him for which Dr. Miner is the investigating Board Member. There is no obligation to release this information during an investigation. Dr. Colucci reported that the UMC Hospital in Las Vegas has a machine that will analyze the quality of x-rays if that is an issue of an investigation.

Dr. Miner will attend the FCLB Regional Meeting in Omaha on September 29, 30 and October 1, 2005. Cindy Wade will probably also attend.

**AGENDA ITEM 11** There was no public comment.

**AGENDA ITEM 12** The meeting adjourned at 12:45 PM.

The next scheduled meeting of the Board is calendared for September 10, 2005 in Las Vegas.

Approved: September 10, 2005

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Donald H. Miner, DC, Secretary